



**REGULAR MEETING OF THE CITY COUNCIL AND THE CITY COUNCIL SITTING AS THE
REDEVELOPMENT AGENCY BOARD
CLOSED SESSION MEETING
BEGINS AT 3:00 P.M. IN THE
STUDY SESSION ROOM FIRST FLOOR
68-700 Avenida Lalo Guerrero
Cathedral City, CA 92234**

WEDNESDAY, JANUARY 10TH, 2007

**Closed Session – 3:00 P.M. followed by Study Session at Approximately 5:00 P.M.
Regular Meeting - 6:30 P.M.**

Copies of each current agenda will be available in the City Hall Lobby Thursday afternoon prior to the scheduled Council meeting. A copy of the complete agenda book is also available for public review in the City Hall Lobby on that same schedule. If you have any additional questions or need further information on any of the following items, please contact the Deputy City Clerk at 770-0322 between the hours of 7:00 a.m. and 6:00 p.m. Monday through Thursday. PLEASE REMEMBER THAT CITY HALL IS CLOSED EVERY FRIDAY.

Americans with Disabilities Act: In compliance with the ADA, if you need special assistance to participate in a City meeting or other services offered by this City, please contact the City Clerk's Office at (760)-770-0385. Assisted listening devices are available at this meeting. Ask the City Clerk if you desire to use this device. Notification of at least 48 hours prior to the meeting or time when services are needed will assist City staff in assuring that reasonable arrangement can be made to provide accessibility to the meeting or service.

Note: Staff reports are available for inspection at the Office of the City Clerk, during regular business hours 7:00 a.m., to 6:00 p.m., Monday – Thursday.

CALL TO ORDER

- a) Roll call of City Council/RDA Board Members
- b) Action to excuse absent City Council/RDA Member(s)

PUBLIC COMMENTS

*At this time, members of the public may address the City Council on any matter that is listed on this Closed Session agenda. Unless additional time is authorized by the City Council, **remarks shall be limited to three minutes.***

*In response to any public comment on an item or matter which **has not been placed on this Agenda** pursuant to Government Code Section 54954.2, members of the City Council and/or the Redevelopment Agency Board may only: **1)** briefly respond to statements made or*

questions posed by the public; 2) ask a question for clarification; 3) make a brief report on his or her own activities; 4) provide a reference to staff or other resources for factual information; 5) request staff to report back to the City Council at a subsequent meeting concerning any matter raised by the public; or, 6) take action to direct staff to place a matter of business on a future Agenda. (California Government Code Section 54954).

SUMMARY OF CLOSED SESSION ITEMS

City Attorney will read a summary of the Closed Session items into the record.

CLOSED SESSION AGENDA

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. **(Jan Davison)**
Property Location: Northerly of East Palm Canyon Drive bounded by Cathedral Canyon Drive to the west, Avenida Lalo Guerrero to the north and Monty Hall Drive to the east and that certain real property located southerly of East Palm Canyon Drive, bounded by Van Fleet to the East, B Street to the South and Cathedral Canyon Drive Avenue to the west excluding therefrom that certain property bounded by A Street to the north, West Buddy Rogers Avenue to the east, B Street to the south and Cathedral Canyon Drive to the west
Negotiating Parties Cathedral City Redevelopment Agency and Tri-Millennium Cathedral City LLC.
Property Owner: Cathedral City Redevelopment Agency
Under Negotiation: Property Negotiations
2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. **(Jan Davison)**
Property Location: 35900 Date Palm Drive
Negotiating Parties Cathedral City Redevelopment Agency and Cat City Storage, LLC and the Triumph Companies
Property Owner: Cat City Storage, LLC and the Triumph Companies
Under Negotiation: Property Negotiations
3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. **(Jan Davison)**
Property Location: South of East Palm Canyon, West of Perez Road APN# 687-030-010 and 074
Negotiating Parties Cathedral City Redevelopment Agency and CCC Properties, LLC (O'Brien Automotive Team, Inc.)
Property Owner: Cathedral City Redevelopment Agency
Under Negotiation: Property Negotiations
4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. **(Jan Davison)**
Property Location: Vacant Parcels on East Palm Canyon Drive

- Negotiating Parties APN# 687-030-038, 039, 040, 051, 055, 056
Cathedral City Redevelopment Agency and CCC
Properties, LLC (O'Brien Automotive Team, Inc.)
Property Owner: CCC Properties, LLC (O'Brien Automotive Team, Inc.)
Under Negotiation: Property Negotiations
5. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to
Government Code Section 54956.8. **(Jan Davison)**
Property Location: 67160 Mission Drive
APN# 687-213-012
Negotiating Parties Cathedral City Redevelopment Agency and First
American Loanstar/Sylvester Palacios
Property Owner: Sylvester Palacios
Under Negotiation: Property Negotiations
6. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to
Government Code Section 54956.8. **(Jan Davison)**
Property Location: 33817 Rancho Vista Drive and 66670 F Street
Negotiating Parties Cathedral City Redevelopment Agency and Jose Portillo
Property Owner: US ONE (Jose Portillo) & Guadalupe Gutierrez
Under Negotiation: Property Negotiations
7. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to
Government Code Section 54956.8. **(Jan Davison)**
Property Location: 36-630, 660, 700 & 770 Cathedral Canyon and 68-526 &
556 Avenida Lalo Guerrero
APN# 687-170-006, 007, 016, 018, 020, and 023
Negotiating Parties City of Cathedral City and Cochran Communications
Construction, Inc; MRG Properties, Corrin Sanders, Floyd
Goodman
Property Owner: Cochran Communications Construction, Inc; MRG
Properties, Corrin Sanders, Floyd Goodman
Under Negotiation: Property Negotiations
8. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to
Government Code Section 54956.8. **(Jan Davison)**
Property Location: Remaining parcel of parcel 1 of parcel Map No. 34063
easterly of Date Palm Drive and northerly of Rosemount
Avenue
Negotiating Parties Cathedral City Redevelopment Agency and Daniel
Gluhaich, John Marquez and John H. Milano
Property Owners: Daniel Gluhaich, John Marquez and John H. Milano
Under Negotiation: Property Negotiations
9. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to
Government Code Section 54956.8. **(Jan Davison)**
Property Location: 30600 San Diego Drive
APN# 677-332-003

Negotiating Parties Cathedral City Redevelopment Agency and Michael Gonzalez
Property Owners: Michael Gonzalez
Under Negotiation: Property Negotiations

10. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (Jan Davison)

Property Location: 687-201-001, 687-201-004, 007, 008, 010& 011
687-202-002 & 011, 687-203-008, 009 & 012, 687-
204-001, 002, 008, 009, 013 & 014, 687-205-005
through 008 and 687-206-001 thru 016,

Negotiating Parties Cathedral City Redevelopment Agency and various
east side landowners: William P. Floyd Family Ltd.
Partnership, Hillery Family Trust, Andrew Malland,
Marjorie St. Anthony, David and Lynn Gordon,
Steve Anthony, Patricia J. Gamill, Pomposa Garcia,
Rosalio Perezchica, Ruben Rosales, Jerry Lee
Goodman, Stagg Investors LLC, Kahalil Ailabouni,
Tri-Millennium Cathedral City, Alfredo Quiroz,
Rafael Gutierrez, George H. Clayton, Barbara Mae
Smith, Syamak Bassirian, Roger L. Smith, Erminia
Verlengia, Randal Castro, Romero Hernandez,
Cecilia Santana
Property Owner: Various East side landowners
Under Negotiation: Property Negotiations

11. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (Julie Baumer)

Property Location: 67800 Vista Chino Drive
Negotiating Parties Cathedral City Redevelopment Agency and Stater Bros.
Property Owners: Regency Shopping Centers, 14200 Culver Drive, Suite S
Irvine CA
Under Negotiation: Property Negotiations

12. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9. Subd. (a) (Julie Baumer)

Case Name: The City of Cathedral City vs. James Lucero, an
individual, Elaine Lucero, an individual, Chandler J.
Mahoney, an individual, Marie Corporation, a Corporation,
Connie Ahumada, an individual; and DOES 1 through 50
Case No. Superior Court of the State of California In and for the
County of Riverside, Indio Branch Case No. INC047273

13. CONFERENCE WITH LEGAL COUNSEL REGARDING SIGNIFICANT EXPOSURE TO LITIGATION pursuant to Government Code Section 54956.9. (b)
No. Potential Cases: **2**

Following the Closed Session meeting, the council will convene to the Council Chambers on the third floor for the Study Session and Regular Meeting.

STUDY SESSION AGENDA

CALL TO ORDER - Mayor DeRosa

INVOCATION

FLAG SALUTE AND PRESENTATION OF COLORS - Cathedral City High School Air Force Junior ROTC.

PUBLIC COMMENTS

STUDY SESSION (Normally, no action is taken on Study Session items; however, the City Council does reserve the right to give specific policy direction and to take specific action as necessary.)

Presentations will be limited to 10 minutes unless other provisions are made in advance.

1. Swearing-in of new Cathedral City Police Department Employees
Todd Brothers- Police Recruit
Sean Keavney- Police Officer
Alan Lemus- Police Reserve
2. Presentation by Southern California Association of Governments (SCAG) regarding annual score card.
3. National League of Cities presentation regarding Inclusive Communities Program. (Allen Howe)
4. Status of construction of Soccer Park including field lighting. (Julie Baumer)
5. City Council/Staff reports and inquires of new or ongoing projects.

REGULAR MEETING AGENDA

CALL TO ORDER

CLOSED SESSION ANNOUNCEMENTS

PUBLIC COMMENTS

*At this time, members of the public may address the City Council on any matter not listed on the agenda. Please complete a **'request to speak' form** and **limit your comments to three minutes**. When you are called to speak, please come forward and state your name and city of residence for the record.*

*In response to any public comment on an item or matter which **has not been placed on this Agenda** pursuant to Government Code Section 54954.2, members of the City Council and/or the Redevelopment Agency Board may only: **1)** briefly respond to statements made or questions posed by the public; **2)** ask a question for clarification; **3)** make a brief report on his or her own activities; **4)** provide a reference to staff or other resources for factual information; **5)** request staff to report back to the City Council at a subsequent meeting concerning any matter raised by the public; or, **6)** take action to direct staff to place a matter of business on a future Agenda. (California Government Code Section 54954).*

AGENDA FINALIZATION

At this time, the City Council and/or the Redevelopment Agency Board may announce any items being pulled from the agenda or continued to another date.

PRESENTATIONS

Presentation by Kathi Jacobs, Director of Government Affairs for Time Warner Cable Company regarding changes to the programming line up and changes in channel five programming features.

PROCLAMATIONS

Presentation by Council Member Chuck Vasquez. (Council Member Vasquez)
Recognition of Horst Schnur. (Mayor DeRosa)
Proclamation celebrating Martin Luther King Jr. Day. (Mayor DeRosa)

COUNCIL COMMENTS Council Members' comments on items not on the agenda.

COMMITTEE ASSIGNMENTS

Mayor Kathleen J. DeRosa

Palm Springs Desert Resorts Convention & Visitors Authority
Cathedral City Senior Center
Cathedral City Chamber of Commerce
CVAG- Executive Committee
CVAG Energy & Environmental Resources
League of California Cities-Riverside County Div. Executive Board
League of California Cities-Transportation and Communication

Mayor Pro Tem Charles "Bud" England

Sunline Transit Agency
Coachella Valley Animal Campus Committee
Palm Springs Unified School District Subcommittee

Council Member Gregory S. Pettis

CVAG Transportation Committee
Riverside County Transportation Commission
SCAG-Regional Council
SCAG-Transportation & Communication
SCAG- Administration Committee
SCAG- Goods Movement Task Force
SCAG- Southwest Compact Task Force
Salton Sea Authority

NLC-Steering Committee, Human Development Policy Committee

Council Member Paul Marchand

CVAG-Human & Community Resources

Coachella Valley Mountains Conservancy Board

SCAG- Energy & Environment

Coachella Valley Mosquito & Vector Control District Executive Board

Santa Rosa & San Jacinto Mountains National Monument Advisory Committee

Council Member Chuck Vasquez

CVAG- Public Safety

Palm Springs Unified School District Subcommittee

Cathedral City Boys & Girls Club

CVAG- Valley Wide Homeless Task Force

MINUTES

Approval of minutes from the regularly scheduled City Council/RDA Board meeting held on Wednesday, December 13th, 2006.

CONSENT AGENDA

All matters listed on the consent agenda are considered to be routine in nature and will be enacted by one motion. The individual items will not be discussed or debated unless pulled from the consent calendar for the discussion by the Mayor or any member of the City Council.

RDA 1. Approval of first amendment to Memorandum of Understanding (MOU) with Cathedral City Town Center Ventures, LLC. to extend time for CCTCV to obtain Agency Board approval of the conceptual site. (Jan Davison)

COUNCIL 2. Adopt proposed ordinance of the City Council for the City of Cathedral City, for Change of Zone No. 06-004 amending the official zoning map from Planned Community Commercial (PCC) District to Resort Residential (RR) District for 2.8 acres at the southeast corner of Date Palm Drive and Gerald Ford Drive. **(SECOND READING)** (Rich Malacoff)

COUNCIL 3. Adopt proposed ordinances of the City Council for the City of Cathedral City, for **1)** Change of Zone No. 06-005, amending the official zoning map from Multiple Family Residential with Density Bonus Overlay (R2-B) District to Planned Community Commercial (PCC) District for properties west of Date Palm Drive to Rancho Vista Drive between Corral Road and a point approximately 384 feet north of Dinah Shore Drive and **2)** Adopt proposed ordinance of the City Council for the City of Cathedral City, amending Specific Plan Amendment No. 87-26A thereby changing the land use from Multiple Family Residential with Bonus Density Overlay (R2-B) District to Planned Community Commercial (PCC) and to make future residential land uses a conditional use for properties west of Date Palm Drive to Rancho Vista Drive and north of Corral Street that have frontage on Rancho Vista Drive or south of Corral Road and a point approximately 384 feet north of Dinah Shore Drive. **(SECOND READING)** (Rich Malacoff)

COUNCIL 4. Adopt proposed ordinance of the City Council for the City of Cathedral City, authorizing the levy of a special tax within Improvement Area No. 1 of the Cathedral City

Community Facilities District No. 2006-1 (Law Enforcement, Fire, Paramedic and Park Maintenance Services). **(SECOND READING)** (Tami Scott)

COUNCIL 5. Adopt proposed ordinance of the City Council for the City of Cathedral City, amending Chapter 11.96 “Noise Control” of the Cathedral City Municipal Code to adopt regulations for the control of noise within the City and standards for determining the existence of a noise violation. **(SECOND READING)** (Kevin Conner)

COUNCIL 6. Ratify name change for Convention and Visitors Authority. (Don Bradley)

COUNCIL 7. Adopt resolutions of the City Council for the City of Cathedral City, electing to establish a health benefit vesting requirement for future retirees under the Public Employee’s Medical and Hospital Care Act and fixing the employer’s contribution under the Public Employee’s Medical and Hospital Care Act. (Tami Scott)

COUNCIL 8. Adopt resolution of the City Council for the City of Cathedral City, supporting the Salton Sea Authority Plan No. 7 for Ecosystem Restoration and encouraging the State to continue exploring longer-term solutions for importing additional water. (Julie Baumer)

COUNCIL 9. Approval of special use permit for “Ride Around the World” event, a March 14th, 2007 premiere IMAX film screening and Brooks and Dunn concert benefiting Eisenhower Medical Center. (Lynn Mallotto)

RDA 10. Approval of agreement in the amount of \$250,000 with Overland, Pacific and Cutler for general relocation services. (Jan Davison)

PUBLIC HEARINGS

COUNCIL 11. Consider staff’s recommended denial of appeal by Stater Bros. for payment of TUMF fee. (Julie Baumer)

RDA 12. Public hearing to receive evidence and testimony and consider the sale of property located at 27135 Shadowcrest Lane in Cathedral City. (Jan Davison)

COUNCIL 13. Introduction of proposed ordinance of the City Council for the City of Cathedral City, repealing Chapter 9.62 of the Cathedral City Municipal Code and adopting a new Chapter 9.62 titled “Signs” of the Cathedral City Municipal Code and certifying the negative declaration in compliance with the California Environmental Quality Act (CEQA).

COUNCIL 14. Consider approval of Municipal Reorganization Project Area No. 1, Change of Zone #06-002, approximately 1,275 acres located north of Interstate 10, east of Palm Drive and south of the northerly limits of sections 28, 29, 30, 31, and 32, T3S, R5E, SBB&M with the subject area being within the Cathedral City Sphere of Influence. (Bud Kopp)

- 1)** Adopt City Council **Resolution No. 2007-_____**, adopting the initial study and certifying the mitigated negative declaration for the project area to be annexed to the City of Cathedral City, which consists of approximately one thousand two hundred seventy five (1,275) acres generally bound by Varner Road on the north, Interstate 10 on the south, existing city limits on the east, and Palm Drive on the west. (Municipal Reorganization of Project Area No. 1;
- 2)** Waive further reading and introduce proposed ordinance of the City Council for the City of

Cathedral City, pre-zoning the proposed project area to be annexed to the City of Cathedral City, which consists of approximately one thousand two hundred seventy five (1,275) acres generally bound by Varner Road on the north, Interstate 10 on the south, existing city limits on the east, and Palm Drive on the west. (Municipal Reorganization of Project Area No. 1);

1);(FIRST READING)

3) Adopt City Council Resolution No. 2007-_____, initiating an application to the Riverside Local Agency Formation Commission (LAFCO) for the proposed annexed territory to the City of Cathedral City, which consists of approximately one thousand two hundred seventy five (1,275) acres generally bound by Varner Road on the north, Interstate 10 on the south, existing city limits on the east, and Palm Drive on the west. (Municipal Reorganization of Project Area No. 1)

COUNCIL 15. Consider approval of Municipal Reorganization Project Area No. 2, General Plan Amendment No. 06-004, Change of Zone #06-003, approximately 88.5 acres as follows: Area A) approximately 6 acres at the northeast corner of Palm Drive and Interstate 10; Area B) approximately 42 acres at the southeast corner of Palm Drive and Varner Road; Area C) approximately 38 acres at the southeast corner of DaVall Drive and Interstate 10; and Area D) approximately 2.5 acres at the northwest corner of East Palm Canyon Drive and Cree Road with the subject area being outside the Cathedral City Sphere of Influence. (Bud Kopp)

1) Adopt City Council Resolution No. 2007-_____, adopting the initial study and certifying the mitigated negative declaration for the project area to be annexed to the City of Cathedral City, which consists of approximately eighty eight and one half (88.5) acres, consisting of four annexation areas, which include areas "A", "B", "C", and "D", and to amend the City's Sphere of Influence. (Municipal Reorganization of Project Area No. 2);

2) Adopt Resolution No. 2007-_____ and General Plan Amendment No. 06-004, amending the General Plan Land Use Map to establish land use designations for approximately eighty eight and one half (88.5) acres, consisting of four annexation areas, which include areas "A", "B", "C", and "D", and to amend the City's Sphere of Influence. (Municipal Reorganization of Project Area No. 2);

3) Waive further reading and introduce proposed ordinance of the City Council for the City of Cathedral City, pre-zoning the project area to be annexed to the City of Cathedral City, which consists of approximately eighty eight and one half (88.5) acres, consisting of four annexation areas, which include areas "A", "B", "C", and "D", and to amend the City's Sphere of Influence. (Municipal Reorganization of Project Area No. 2);(FIRST READING)

4) Adopt City Council Resolution No. 2007-_____, initiating an application to the Riverside Local Agency Formation Commission (LAFCO) for the proposed annexed territory to the City of Cathedral City, which consists of approximately eighty eight and one half (88.5) acres, consisting of four annexation areas, which include areas "A", "B", "C", and "D", and to amend the City's Sphere of Influence. (Municipal Reorganization of Project Area No. 2)

LEGISLATIVE ACTION(S)

COUNCIL 16. Introduction of proposed ordinance of the City Council for the City of Cathedral City, amending Cathedral City Municipal Code, Chapter 5.80 "Sale and Discharge of Safe and Sane Fireworks" of Title V "Business Regulations" to permit the sale and discharge of Safe and Sane Fireworks for the July 4th Holiday for the years 2007 and 2008. **(FIRST READING)** (Bill Soqui)

COUNCIL 17. Approval of Coachella Valley Recreation and Park District's sphere of influence extension into the City of Cathedral City. (Julie Baumer)

RDA 18. Approval of termination of Disposition and Development Agreement (DDA) with CCC Properties and purchase agreement. (Jan Davison)

CC/RDA 19. Approval of proposed recommendation(s) for the use of Community Development Block Grant (CDBG) funds for Fiscal Year 2007-2008. (Jan Davison)

COUNCIL REPORTS ON CITIZEN INQUIRIES AND CONCERNS.

ADJOURNMENT

The next regularly scheduled meeting of the City Council/Redevelopment Agency Board will be adjourned to **WEDNESDAY, JANUARY 24th, 2007**

PLEASE REMEMBER THAT CITY HALL IS CLOSED EVERY FRIDAY

This Agenda is also available for viewing on the City's Web Site. The Web Site address is www.cathedralcity.gov.

DECLARATION OF POSTING

I, Daryl Betancur, CMC, Deputy City Clerk for the City of Cathedral City and Assistant Secretary to the Redevelopment Agency Board for the City of Cathedral City, Assistant Secretary to the Downtown Foundation and Public Financing Authority Boards, ***do hereby certify***, under penalty of perjury under the laws of the State of California, that the foregoing notice for this City Council meeting was hand delivered and faxed to each member of the City Council for the City of Cathedral City; posted on the bulletin board outside City Hall; and faxed to the following organizations: all local media, the Cathedral City Chamber of Commerce, and the Cathedral City public library; all on the 4TH day of January, 2007.

Daryl Betancur, CMC
Deputy City Clerk